

Notice of Allowability

Application No.

09/674,256

Examiner

John K. Ford

Applicant(s)

MORRIS, GEOFFREY R

Art Unit

3753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Board's decision of November 9, 2005.
2. ☒ The allowed claim(s) is/are 12, 14 & 15.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of ~~Paper No./Mail Date _____~~ proposed in applicant's communication filed 3/14/2003.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

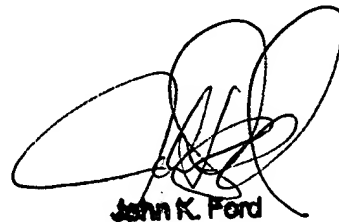
Claims 1-11, 13 and 16 have all been cancelled in view of the Board decision of November 9, 2005.

Claims 12, 14 and 15 are allowed.

The following is an examiner's statement of reasons for allowance: the last paragraph of claim 12 has two, 35 USC 112, sixth paragraph, means plus function recitations. Consistent with MPEP 2181, this language ("means for...") invokes 35 USC 112, sixth paragraph, and is therefore has been treated consistent with In re Donaldson, 29 USPQ2d 1845, 1850 (Fed. Cir. 1994). The disclosed structure, corresponding to the two, 35 USC 112, sixth paragraph, means plus function recitations in the last paragraph of claim 12, is shown in Figure 8. The Examiner has not found that structure in a roofing panel, nor its 112, sixth paragraph, equivalent (see Valmont, 25 USPQ2d 1451, 1455 (Fed. Cir. 1993)), nor any prior art reasonably teaching manifolding such as disclosed (in Figure 8) and claimed by applicant for connecting the claimed "fluid conduits" and claimed "external conduits" to the manifolding as disclosed (in Figure 8) and claimed by applicant in a roofing panel.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."



John K. Ford
Primary Examiner

part of
March 14
2003 Communal
for applicant

3 sheets of
proposed
drawing
corrections
that have been
approved

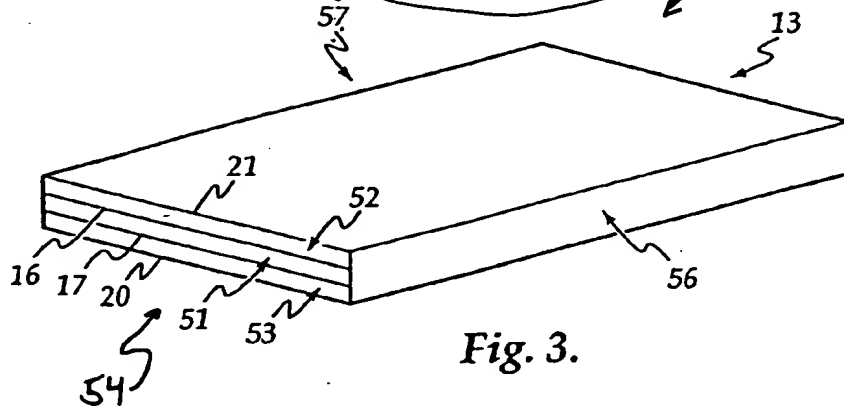


Fig. 3.

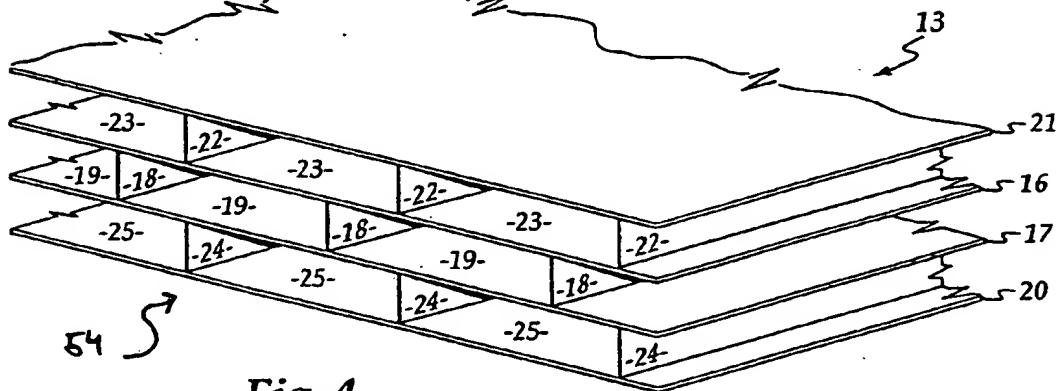


Fig. 4.

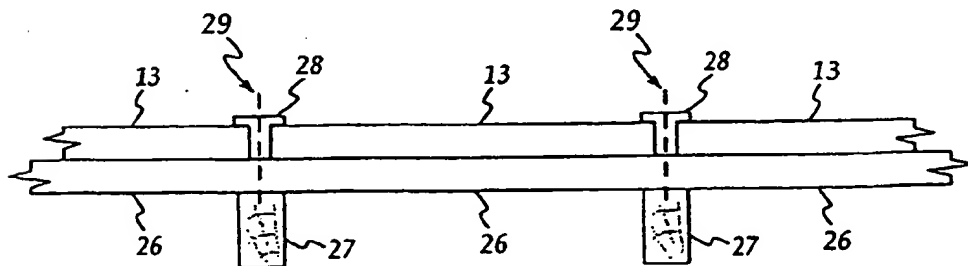


Fig. 5.

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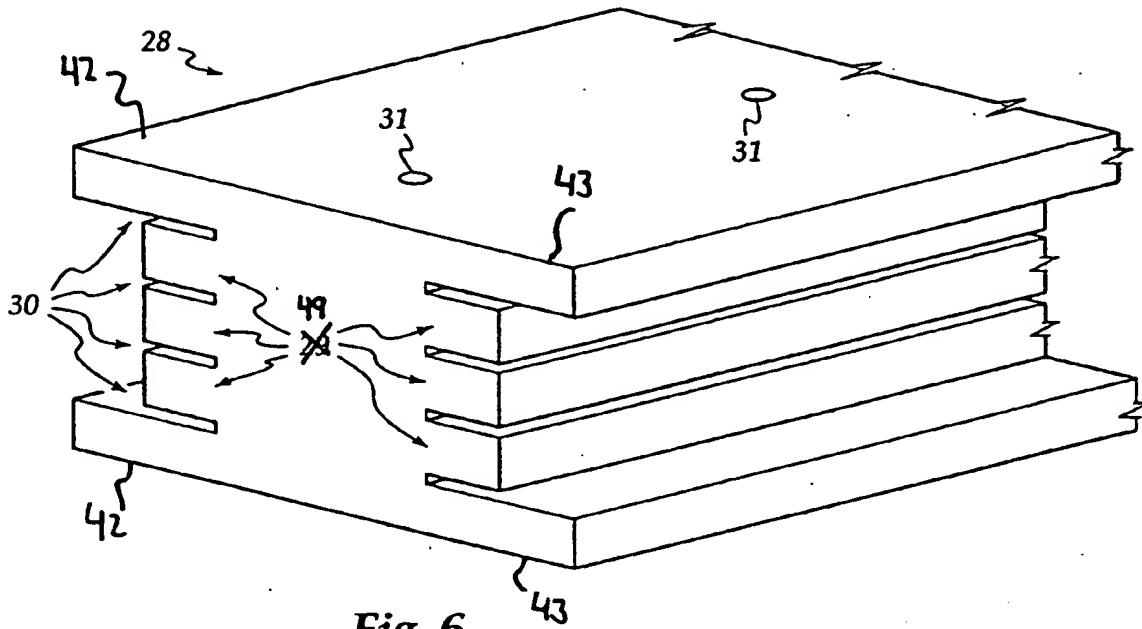


Fig. 6.

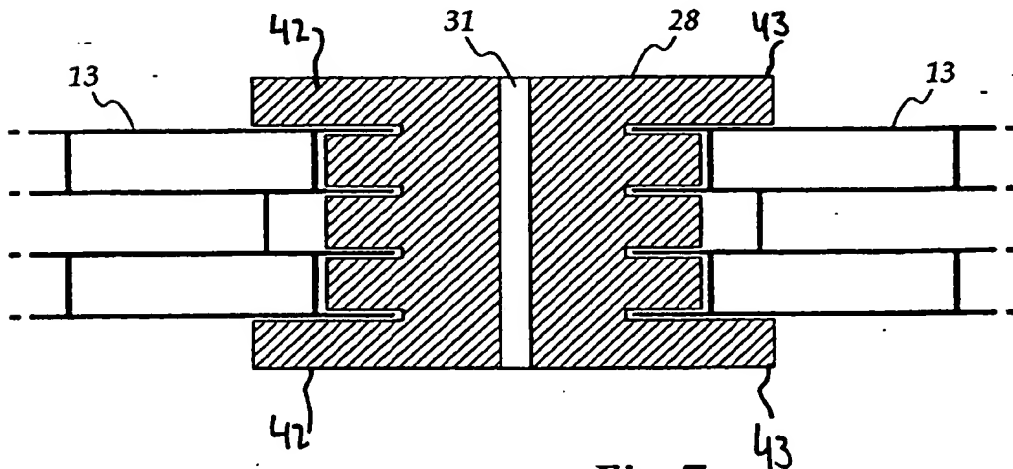


Fig. 7.

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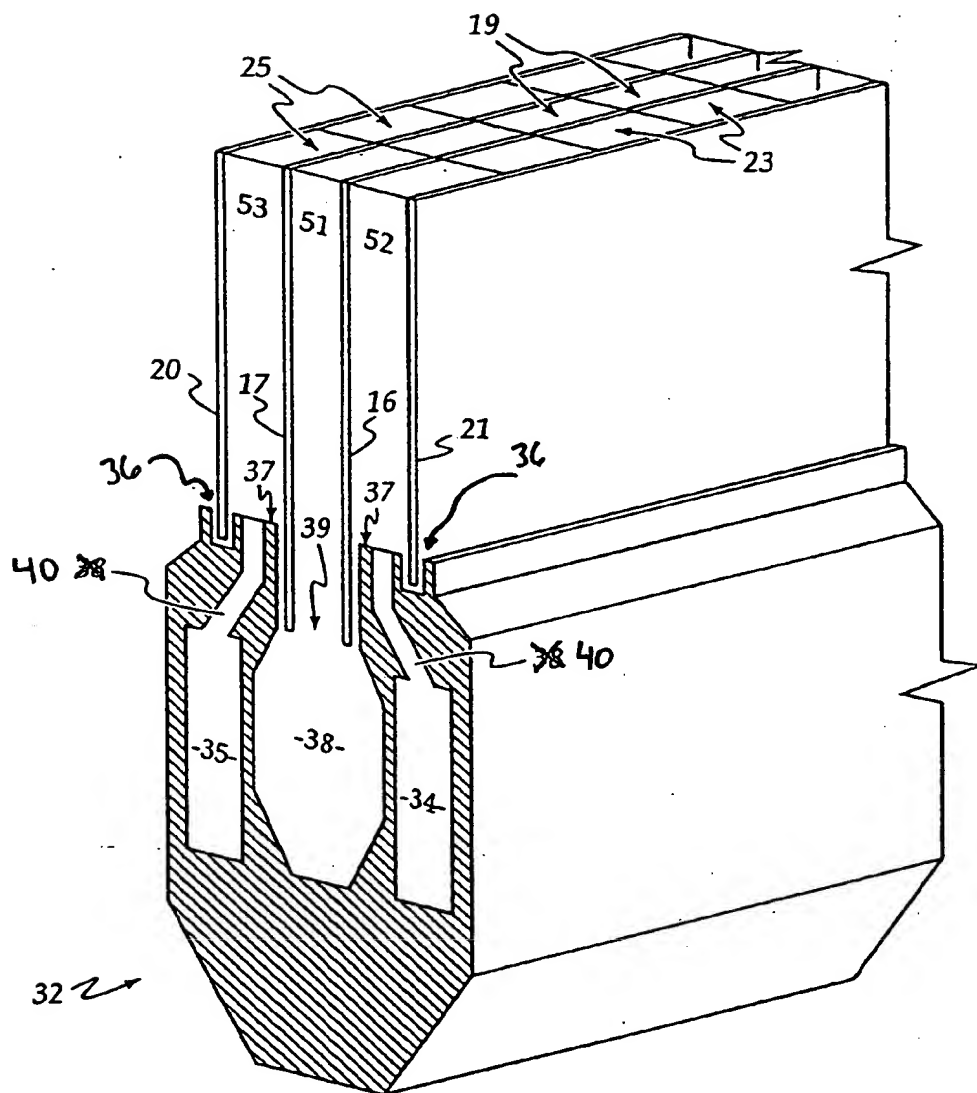


Fig. 8.

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Approved

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Primary Examiner